

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CHANSE CAMPBELL,

Plaintiff,

v.

JACQUELINE M. BLUTH, et al.,

Defendants.

Case No. 2:21-cv-01499-RFB-EJY

ORDER

On August 11, 2021, Plaintiff, an inmate at Clark County Detention Center, filed a proposed complaint and an application to proceed *in forma pauperis*. ECF No. 1. However, Plaintiff has not filed the supporting documents required to apply for *in forma pauperis* status.

Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an inmate seeking to commence a civil action may apply to proceed *in forma pauperis*, which allows the inmate to file the civil action without prepaying the full \$402 filing fee. To apply for *in forma pauperis* status, the inmate must submit all three of the following documents to the Court:

(1) a completed **Application to Proceed in Forma Pauperis for Inmate**, on this Court's approved form (i.e. pages 1 through 3 with the individual's two signatures on page 3);

(2) a **Financial Certificate** properly signed by both Plaintiff and a facility official (i.e. page 4 of this Court's approved form); and,

(3) a copy of **Plaintiff's prison or jail trust fund account statement for the previous six-month period**. If Plaintiff has not been at the facility a full six-month period, Plaintiff must still submit an inmate account statement for the dates he has been present at the facility.

Plaintiff filed his application to proceed *in forma pauperis* but failed to include a financial certificate or six-month trust fund account statement. As stated in the Order below, Plaintiff is provided a **one-time extension** to file a complete application to proceed *in forma pauperis* containing all three of the required documents or, in the alternative, pay the \$402 filing fee for this action on or before **November 3, 2021**. Absent unusual circumstances, the Court will **not** grant any

1 further extensions of time. If Plaintiff is unable to file a fully complete application to proceed in
 2 forma pauperis with all three required documents or pay the \$402 filing fee on or before **November**
 3 **3, 2021**, the Court will recommend dismissal of this case **without prejudice** allowing Plaintiff to
 4 file a new case with the Court when Plaintiff is able to acquire all three of the documents needed to
 5 file a complete *in forma pauperis* application or pay the \$402 filing fee.

6 A dismissal **without prejudice** means Plaintiff does not give up the right to refile the case
 7 with the Court, under a new case number, when Plaintiff has all three documents needed to submit
 8 with the application to proceed in forma pauperis.

9 ORDER

10 Accordingly, IT IS HEREBY ORDERED that on or before **November 3, 2021**, Plaintiff
 11 shall either pay the full \$402 filing fee for a civil action or file the following with the Court:

12 (1) a completed Application to Proceed in Forma Pauperis for Inmate, on this Court's
 13 approved form (i.e. pages 1 through 3 with the individual's two signatures on page 3);

14 (2) a Financial Certificate properly signed by both Plaintiff and a facility official (i.e. page
 15 4 of this Court's approved form); and,

16 (3) a copy of Plaintiff's prison or jail trust fund account statement for the previous six-
 17 month period. If Plaintiff has not been at the facility a full six-month period, Plaintiff must
 18 still submit an inmate account statement for the dates he has been present at the facility.

19 IT IS FURTHER ORDERED that, if Plaintiff does not file a complete application to proceed
 20 *in forma pauperis* with all three documents or pay the \$402 filing fee for a civil action on or before
 21 **November 3, 2021**, the Court will recommend dismissal of this action **without prejudice** for
 22 Plaintiff to refile the case with the Court, under a new case number, when Plaintiff is able to file a
 23 complaint and has all three documents needed to file a complete application to proceed *in forma*
 24 *pauperis* or pays the \$402 filing fee.

25 IT IS FURTHER ORDERED that the Clerk of the Court shall send Plaintiff the approved
 26 form application to proceed in forma pauperis by an inmate, as well as the document entitled
 27 information and instructions for filing an in forma pauperis application.
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1 IT IS FURTHER ORDERED that the Clerk of the Court shall retain Plaintiff's Complaint
2 (ECF No.1-1) but will not file it at this time.

3 Dated this 3rd day of September, 2021.

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5 ELAYNA J. YOUCHAH
6 UNITED STATES MAGISTRATE JUDGE
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